

**FARRIS MATHEWS BRANAN  
BOBANGO & HELLEN PLC**

ATTORNEYS AT LAW

HISTORIC CASTNER-KNOTT BUILDING  
618 CHURCH STREET, SUITE 300  
NASHVILLE, TENNESSEE 37219

CHARLES B. WELCH, JR.

(615) 726-1200 telephone  
(615) 726-1776 facsimile

CBW@FARRIS-LAW.COM

June 9, 2000

Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

**VIA HAND DELIVERY**

**RE: BELLSOUTH "WIN BACK" TARIFF  
DOC. NO.: 00-00391**

Dear Mr. Waddell:

Please find enclosed an original and thirteen (13) copies of the Data Requests of Time Warner Telecom of the Mid-South, L.P., and NewSouth Communications Corp. to be filed in the referenced docket. Copies are being served on the parties of record. Please contact me should you have any questions about this filing.

Very truly yours,  
**FARRIS, MATHEWS, BRANAN  
BOBANGO & HELLEN, P.L.C.**

*Charles B. Welch, Jr. / by JFM*  
Charles B. Welch, Jr.

Encl.

cc: Lori Reese  
Carolyn Marek

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:  
BELLSOUTH "WIN BACK" TARIFF**

**DOCKET NO. 00-00391**

**DATA REQUESTS OF TIME WARNER TELECOM OF THE MID-SOUTH,  
L.P., AND NEWSOUTH COMMUNICATIONS CORP.**

Pursuant to Tennessee Code Annotated § 4-5-311 and Rules 33 and 34 of the Tennessee Rules of Civil Procedure, the Intervenor, Time Warner Telecom of the Mid-South, L.P. ("Time Warner"), and NewSouth Communications Corp. ("NewSouth") submit the following Data Requests to BellSouth Telecommunications, Inc. ("BellSouth").

**DEFINITIONS**

(a) The term "Identity" or "Identify" as used herein, with respect to any: (i) person, means to provide the name, current residential address, current residential telephone number, current business address, current business telephone number, the occupation or job title of that person, and the name, title and employer of the person at the time in question; (ii) with respect to any other entity, those terms mean to provide the name by which said entity is commonly known, the current address of its principal place of business, and the nature of business currently conducted by the entity; and (iii) with respect to any document, those terms mean to provide the date of the document, the identity of the author or preparer of the document, the identity of each person to whom a copy or copies were sent, the type of document (e.g., letter, memorandum, tape recording, etc.), the substance

and summary of the contents of the document, the title or label (if any) of the document, the present or last-known location and custodian of the document and any copies thereof, and if any such document was, but is no longer, in your possession, custody or control or is no longer in existence, state whether it: (1) is missing or lost; (2) has been destroyed; or (3) has been transferred voluntarily or involuntarily, and if so, state the circumstances surrounding the authorization for each such disposition and the date of such disposition.

(b) The term "Document" as used herein, shall have the broadest possible meaning under applicable law, and means any medium, including computers or other electronic media, upon which intelligence or information can be recorded, stored and/or retrieved, and includes, without limitation, the original and the copy, regardless of origin or location, of any book, record, report, statement, diary, calendar, schedules, progress schedules, time logs, drawings, notes, audio tape, video tape, computer disk, computer tape, computer printout, electronic or voice-mail message, pamphlet, periodical, letter, memorandum (including memorandum, note or report of a meeting or conversation) or any other written, typed, reported, transcribed, punched, taped, filmed, electronic or graphic matter, however produced or reproduced, which is in your possession, custody or control or which was but is not longer in your possession, custody or control. "Document" shall include all copies of documents by whatever means made, including any non-identical copies (or are different from the original because of handwritten notes, underlining, blind carbon copy or otherwise) and drafts of documents.

(c) The term “relating to” or “relates to” as used herein, means evidencing, supporting, contradicting, constituting, containing, recording, discussing, summarizing, analyzing, disclosing, referring to in whole or in part, or otherwise pertaining to any way.

(d) The term “you” as used herein means BellSouth Telecommunications, Inc. or any other names under which you are known or have been known. These interrogatories are to be answered by BellSouth or representatives thereof who are cognizant of the facts. For purposes of framing your responses to these interrogatories, the singular should be read to include the plural and vice versa.

(e) “Person” means any natural person, corporation, corporate division, partnership, or unincorporated association, trust, government agency, or entity.

(f) “And” and “or” shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these data requests information that would not otherwise be brought within their scope..

### **INSTRUCTIONS**

(a) These interrogatories are continuing in nature, and to the extent that any answers thereto may be enlarged, expended upon, modified, or corrected as the result of any changes in circumstances subsequent to the filing of BellSouth’s answers hereto, said party is required to promptly supply counsel for Time Warner and NewSouth with amended or supplemental answers as required by Rule 26 of the Tennessee Rules of Civil Procedure.

(b) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably are available to you. These data request are intended to include request for information which is physically within BellSouth's possession, custody or control as well as in the possession, custody or control of BellSouth's agents, attorneys, or other third parties from which such documents may be obtained. If any data requests cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of the data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

### **DATA REQUESTS**

**Request No. 1.** Identify each person participating in the preparation of the answers to these data requests or supplying information used in connection therewith, and explain with particularity each person's relationship, if any, to BellSouth.

**Response:**

**Request No. 2.** Please indicate the percentage discount that BellSouth will make available for resale for those customers who elect to subscribe to the proposed Win Back program.

**Response:**

**Request No. 3.** Please state whether BellSouth will waive any or all nonrecurring charges for resale purposes if the company decides to waive any or all nonrecurring charges for a customer subscribing to the proposed Win Back program.

**Response:**

**Request No. 4.** Please provide all documentation supporting the determination of the percentage discounts that will be made available for each revenue threshold and for each contract period under the terms of the proposed Win Back program.

**Response:**

**Request No. 5.** Please provide all revenue and cost analyses examining BellSouth's cost recovery under the proposed Win Back program. Please include a full explanation of the costing methodology under which BellSouth believes that the costs incurred in providing the Win Back program's services will be recovered (e.g. fully distributed cost, incremental, Total Service Long Run Incremental Cost, etc.).

**Response:**

**Request No. 6.** Please provide any and all documents relating to BellSouth's marketing efforts for the Win Back program, including any promotional programs and advertisements that have been made to support the proposed program.

**Response:**

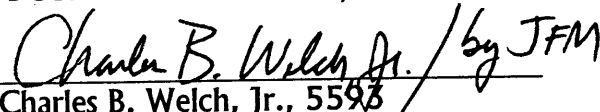
**Request No. 7.** Please provide all directly incurred and indirectly allocated marketing expenses that have been made to support the proposed Win Back program.

**Response:**

**Request No. 8.** Please provide any and all documents relating to the detailed budget developed to initiate and sustain the proposed Win Back program.

**Response:**

Respectfully submitted,  
FARRIS, MATHEWS, BRANAN,  
BOBANGO & HELLEN, P.L.C.

  
Charles B. Welch, Jr., 5593  
Jon F. Minkoff, 19836  
Attorneys for the Intervenor  
618 Church Street, Suite 300  
Nashville, Tennessee 37219  
(615) 726-1200

## **CERTIFICATE OF SERVICE**

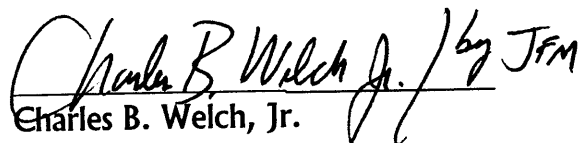
I, Charles B. Welch, Jr., hereby certify that I have served a copy of the foregoing **Data Requests** on the parties listed below, by depositing copy of same in the U.S. Mail, postage prepaid, this the 9th day of June, 2000.

Dana Shaffer, Esquire  
NEXTLINK Tennessee  
105 Molloy Street  
Suite 300  
Nashville, TN 37201

Henry Walker, Esquire  
Boult, Cummings, et al.  
414 Union Avenue, Suite 1600  
P.O. Box 198602  
Nashville, TN 37219-8062

Guy M. Hicks, Esquire  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-8062

Patrick Turner, Esquire  
BellSouth Telecommunications, Inc.  
Suite 2101  
333 Commerce Street  
Nashville, TN 37201-8062

  
Charles B. Welch, Jr.